

Certificate of Electronic Filing

I hereby certify that this correspondence is electronically filed with the United States Patent and Trademark Office via USPTO EFS Web

on: August 15, 2008

By: 

Margaret A. Powers

Attorney Docket No: 0228us420

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Poul Baad Rasmussen, *et al.*

Application No.: 10/609,296

Filed: June 27, 2003

For: Interferon Beta-Like Molecules

Examiner: Seharaseyon, Jegatheesan

Art Unit: 1647

Confirmation No. 5764

**REVISED SECOND REQUEST FOR
CORRECTED FILING RECEIPT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop: Issue Fee

Dear Sir:

On August 12, 2008, Applicants submitted a Second Request for Corrected Filing Receipt in the above-identified application. Applicants are hereby submitting this **Revised** Second Request for Corrected Filing Receipt to correct an inadvertent error in the information provided regarding the Reels/Frames of the assignments recorded in this application.

Summary

On February 21, 2008, Applicants filed a Request for Corrected Filing Receipt in the above-identified application via EFS Web. The United States Patent and Trademark Office (USPTO) has not yet issued a Corrected Filing Receipt, and this application has now been allowed, as evidenced by the Notice of Allowance dated June 2, 2008. **Accordingly, Applicants**

hereby submit a Second Request for Corrected Filing Receipt and respectfully request that a Corrected Filing Receipt be issued in the above-identified application.

Attached is a marked-up copy of the Official Filing Receipt received from the USPTO in the above-identified patent application for which issuance of a corrected filing receipt is respectfully requested. Specifically, Applicants request that the following corrections be made, as shown on the enclosed marked-up copy of the Official Filing Receipt:

(1) A Petition to Correct Inventorship was filed in the instant application on February 21, 2008. The Examiner acknowledged that he entered this Petition to Correct Inventorship in the Notice of Allowance dated June 2, 2008. **Accordingly, please delete Joern Drustrup, Anders Hjelholt Pedersen, and Hans Thalsgard Schambye as inventors of the instant application on the Official Filing Receipt, as indicated on the attached marked-up copy of the Official Filing Receipt.**

(2) The priority claim in the specification in the paragraph beginning at page 1, line 4 was amended via two Amendments filed in the instant application on February 21, 2008 and June 27, 2003, respectively. Pursuant to these Amendments, the paragraph beginning at page 1, line 4 of the specification has been amended to specify that:

This application is a Continuation of US Application Serial No. 10/084,706 filed February 26, 2002, now U.S. Patent No. 7,144,574, which claims priority from and benefit of U.S. Provisional Application No. 60/272,116 filed February 27, 2001, U.S. Provisional Application No. 60/343,436 filed December 21, 2001, U.S. Provisional Application No. 60/302,140 filed June 29, 2001, U.S. Provisional Application No. 60/316,170 filed August 30, 2001, and U.S. Provisional Application No. 60/357,945 filed February 19, 2002. Pursuant to 35 U.S.C. §119(a)-(d), USSN 10/084,706 also claims priority from and benefit of Danish Patent Application No. PA 2001 00333 filed March 1, 2001.

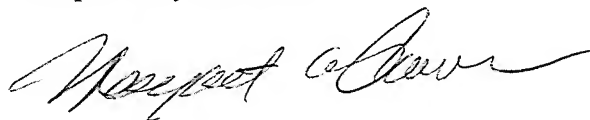
Accordingly, please amend the priority claim on the Official Filing Receipt of the instant application to include reference to PAT 7,144,574 and to delete reference to the following 3 Danish patent applications – Denmark PA 1999 01197 08/27/1999, Denmark PA 1999 01691 11/26/1999, and Denmark PA 2000 00194 02/07/2000, as indicated on the attached marked-up copy of the Official Filing Receipt.

(3) The instant application was originally assigned by the inventors to co-assignees Maxygen Holdings Ltd. and Maxygen ApS, as shown by the Assignment documents recorded at Reel/Frame 013053/0323 and 013053/0293, respectively. Maxygen Holdings Ltd. subsequently has assigned all of its interest in the application to co-assignee Maxygen ApS, as shown in the Assignment document was recorded at Reel/Frame 017187/0043. Thus, Maxygen ApS is now the sole assignee of the application. **Accordingly, please delete Maxygen Holdings Ltd. as assignee on the Official Filing Receipt, as indicated on the attached marked-up copy of the Official Filing Receipt. Maxygen ApS is the sole assignee.**

Applicants believe that no fee is due in connection with this Request. However, in the event that a fee is due, please charge Deposit Account No. 50-0990. Please credit any overpayment to Deposit Account No. 50-0990.

If the Office has any questions with regard to this paper, please telephone the undersigned at 650-298-5809.

Respectfully submitted,



Margaret A. Powers
Reg. No. 39,804

August 15, 2008
Maxygen, Inc.
Intellectual Property Department
515 Galveston Drive
Redwood City, CA 94063
Telephone: 650-298-5809
Facsimile: 650-298-5446
Customer No. 30560



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/609,296	06/27/2003	1646	1002	0228us420	3	34	2

30560
 MAXYGEN, INC.
 INTELLECTUAL PROPERTY DEPARTMENT
 515 GALVESTON DRIVE
 RED WOOD CITY, CA 94063

CONFIRMATION NO. 5764

CORRECTED FILING RECEIPT



OC000000011358299

COPY

Date Mailed: 11/26/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Poul Baad Rasmussen, Soeberg, DENMARK;
~~Joern Drustrup, Farum, DENMARK;~~
 Grethe Rasmussen, Farum, DENMARK;
~~Anders Hjelholt Pedersen, Lyngby, DENMARK;~~
~~Hans Thalsgard Schambye, Frederiksberg C., DENMARK;~~
 Kim Vilbour Andersen, Broenshoej, DENMARK;
 Claus Bornaes, Hellerup, DENMARK;

Assignment For Published Patent Application

Maxygen ApS;
~~Maxygen Holdings Ltd.;~~

Domestic Priority data as claimed by applicant

This application is a CON of 10/084,706 02/26/2002
 which claims benefit of 60/272,116 02/27/2001
 and claims benefit of 60/343,436 12/21/2001
 and claims benefit of 60/302,140 06/29/2001
 and claims benefit of 60/316,170 08/30/2001
 and claims benefit of 60/357,945 02/19/2002

PAT 7,144,574

Foreign Applications

DENMARK PA 2001 00333 03/01/2001
~~DENMARK PA 1999 01197 08/27/1999~~
~~DENMARK PA 1999 01691 11/26/1999~~

~~DENMARK PA 2000 00194 02/07/2000~~

If Required, Foreign Filing License Granted: 10/14/2003

Projected Publication Date: 01/22/2004

Non-Publication Request: No

Early Publication Request: No

Title

Interferon beta-like molecules

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).